

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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DR. MILTON PRYSTOWSKY, in his own right
and as EXECUTOR OR THE ESTATE OF ROSE
PRYSTOWSKY,

Civil Action No.
2:07-cv-00072-SDW-MCA

Plaintiff,

v.

ORDER

TGC STORES, INC., ADT SECURITY
SERVICES, INC., INVACARE CORPORATION,
GOLDEN BROTHERS, INC. d/b/a GOLDEN
TECHNOLOGIES, PRIDE MOBILITY
PRODUCTS CORP. and JOHN DOES 4 – 10

Defendants.

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PRIDE MOBILITY PRODUCTS CORP.

Third-Party Plaintiff,

v.

DEWERT MOTORIZED SYSTEMS, PHOENIX
MECANO, INC. and KINGSTEC INDUSTRIES,
INC., and JOHN DOES 1 – 10

Third-Party Defendants.

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This matter having come before the Court on Motion of PRIDE MOBILITY
PRODUCTS CORP. (“Pride”) for summary judgment, and the Court having duly considered the
moving papers submitted in support of Pride’s motion, and finding merit in said motion and for
other good cause appearing;

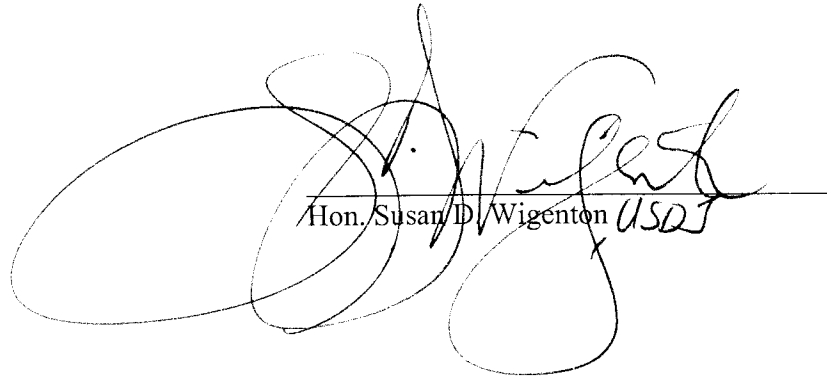
IT IS on this day of 23rd *March*, 2011;

ORDERED that Pride's motion for partial summary judgment dismissing all claims and cross-claims against Pride seeking damages for personal injuries sustained by plaintiffs as time-barred under N.J.S.A. 2A:14-2, is **GRANTED**;

ORDERED that Pride's motion for partial summary judgment dismissing all claims and cross-claims against Pride seeking damages for the Wrongful Death of Rose Prystowsky, as time-barred under N.J.S.A. 2A:31-3, is **GRANTED**; and,

IT IS FURTHER ORDERED that Pride's motion for summary judgment dismissing complaint and all cross-claims against Pride on the grounds that because the Second Amended Complaint is procedurally invalid and a nullity, it must be dismissed and the Court lacks personal jurisdiction over Pride is **GRANTED**.

A copy of the within Order shall be sent to all counsel within 7 days of the date hereof.


Hon. Susan D. Wigenton USDJ

* For the reasons set forth on the record on
this date.
Sjw